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# S P E E C H

OF

## HON. PALMER E. HAVENS.

Mr. CHAIRMAN :

I consider it one of our public duties as representatives of the people, carefully to examine and freely to discuss the several matters to which our attention is called in the annual message of his Excellency, the Governor.

I enter upon the discharge of that duty with much hesitation, not only from distrust of my ability to do justice to the great questions presented, but from fear that in my zeal to defend those principles and measures which I deem essential to the safety and welfare of my country, I may be unnecessarily severe in the criticisms and comments which I shall make.

While I claim to enjoy the utmost freedom of thought and argument in the discussion, I would not needlessly treat his Excellency with disrespect, nor say one word offensive to the feelings of any Senator on this floor, who may differ with me.

I acknowledge allegiance to no party but my country, and have no political quarrels, except with those who would work its ruin.

The new and important questions of state and national policy forced upon our consideration by the rapidly transpiring events of the times upon which we have fallen; the accompanying difficulties with which we are obliged to grapple, and the ever changing and increasing emergencies created by the progress of the great war against

rebellion, has vastly increased the responsibility resting upon those who are entrusted with the reins of power—inasmuch that the continuance of our republican form of government, and the preservation of our nationality depends upon the wisdom and prudence of their action.

It is with deep and profound sense of this responsibility, and the importance of our action upon the questions presented for our consideration, that I attempt a review of the message.

### THE GOVERNOR'S COURSE TOWARDS THE ADMINISTRATION.

I say frankly that I am disappointed in its character—its matter and the spirit which pervades it in its treatment of our national affairs.

I had hoped that the events of the past year with all their unmistakable lessons of instruction had soundly converted his Excellency from all further sympathy with the traitors of the south, and made him a whole-souled Union patriot in heart, word and deed—but neither the unerring logic of events, disclosing so plainly an overruling hand, nor the scathing rebuke administered to him by the people, has seemed to reach his heart or raise him above that unfortunate condition of mere party feeling and party aims, which has hitherto marked his course.

While, as heretofore, he has not one word of condemnation or censure for the rebels, he

spends the full force of his zeal and arguments against the National Government, and every emotion of his heart and energy of his soul seems enlisted in an effort to disgrace and stigmatize that Government before the world, and by predictions of ruin and disasters to arouse the passions of the people against its action, representing it as reckless, selfish, vindictive and despotic.

He says nothing of those acts of the rebel authorities, and those great emergencies which have compelled the Government to resort to extraordinary measures for its defense, and would fain make the people believe that such measures, designed only to continue till their object is accomplished, and the great emergency which rendered them necessary is removed, are to become the permanent policy of the nation in time of peace.

It requires much charity to believe, that his Excellency did not know better than to attempt to impose upon the people such a glaring misconstruction and perversion.

"This revolution, he says" if *permanently accepted*, must be recognized as an overthrow of established and cherished principles of government."

Does not every enlightened citizen know, and did not Governor Seymour know, that the measures of which he complains were avowedly adopted by the Government, as the measures justified and pointed out by the Constitution itself, for the purpose, *and only for the purpose* of meeting the overwhelming emergency created by the rebellion, and did any man, except his Excellency, ever dream of making these measures *permanent* in the ordinary administration of affairs in time of peace? of *permanently* suspending the writ of *habeas corpus*, of adopting a permanent system of arbitrary arrests, and coerced military service, test oaths, or other extraordinary measures to which the necessities and safety of the nation have compelled it temporarily to resort?

If his Excellency did not know this, it is because his brain is muddled by the poison of party prejudice, trammeling his judgment and beclouding his vision, and keeping him down from that elevated position of patriotism, where the Union men of all parties now stand shoulder to shoulder for the defense of the country.

I apprehend he will find it difficult to make much headway, either in bringing the Administration into disrepute, or in advancing the interests and prospects of his *peace party* by such unwarrantable, unpatriotic, partisan misconstruction of the acts and policy of the Government.

The people of the North are reading, thinking, and acting for themselves, in these perilous times, in spite of governors or party leaders, as was gloriously demonstrated in November last.

I assert, and challenge contradiction of the statement, that there has never been an act done or word uttered by the Government, authorizing his Excellency to charge or intimate that those measures, which he is pleased to characterize as *revolutionary*, are to become permanent in the

policy of the nation or to continue one moment after the emergency which rendered them necessary is passed.

#### THE ENROLLMENT AND DRAFT.

His Excellency is prolific in his strictures and objections to the enrollment and draft law of the General Government.

He does not, as at first, attempt officially to annul or destroy the legal effect and force of the law by openly denouncing it as unconstitutional, and proposing a stay of proceedings until he can institute and carry through a great law suit, to test its validity, but contents himself with *modestly* alluding to the fact, that the act has recently been held unconstitutional by some of the *state courts*, referring I suppose to the decision of Judge Woodward of Pennsylvania, recently reversed on appeal I notice. It is an unfortunate allusion. The infamous Copperhead decision had better been left unreported by his Excellency and suffered to remain in the *darkness* in which it originated, covered and rounded as it was by the great *Curtis of Pennsylvania*.

I have no doubt, however, that Vallandigham, Fernando Wood, and other like Copperheads in full bench, would gladly affirm the decision of Judge Woodward on appeal.

Pardon me for this slight touch of irony and allow me a few words seriously upon this question of constitutionality.

I cannot burden my speech with quotations from the large array of eminent statesmen, mostly from the Democratic ranks who have unqualifiedly sustained this power in the National Government; but such names as Madison, Monroe, Tompkins, Benton and Van Buren in the list, should not be without their weight at the present time.

I will content myself with a single quotation: Mr. Monroe, in 1814, in writing to a committee of the House of Representatives, having in charge a proposed measure for a draft by the general government, used the following forcible language:

"In proposing a draft, as one of the modes of raising men in case of actual necessity in the present great emergency of the country, I have thought it my duty to examine such objections to it as occurred, particularly those of a constitutional nature. It is from my sacred regard to the principles of our Constitution that I have ventured to trouble the committee with my remarks, on this part of the subject."

"Congress has a right, by the Constitution, to raise regular armies, and no restraint is imposed in the exercise of it, except in the provisions which are intended to guard generally against the abuse of power, with none of which this plan interfere."

"An unqualified grant of power gives the means necessary to carry it into effect. This is a universal maxim which admits of no exception."

"The commonwealth has a right to the service of all its citizens—or rather the citizens owe to the commonwealth have a right collectively and individually to the service of

"each other, to repel any danger which may be menaced."

"The plan proposed is not more compulsive than the militia service."

It has struck me with surprise that any sensible man should question this power under the Constitution.

That instrument, in subdivisions 10, 11, 12, 13 and 14, of section 8, art. 1, enumerating the power of Congress, reads as follows:

10. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

11. To raise and support armies.

12. To provide and maintain a navy.

13. To make rules for the government and regulation of the land and naval forces.

14. To provide for calling forth the militia to execute the laws of the Union, suppress insurrection and repel invasion.

Is the absurd proposition to obtain that the states have delegated to the General Government the power to *declare war*, without the power to enforce the performance of that military service by which alone it can be waged?

Can Congress only *raise armies and maintain a navy*, on condition that by liberal bounties it can induce the requisite number of men to volunteer, or that the states may choose to furnish the forces?

What chance has the General Government to execute the laws, suppress insurrection or repel invasion, unless it has the power to *call forth the militia* by coercive measures, if necessary.

What a pitiable spectacle should we present to the nations of the earth, without this power in the General Government. Indeed it would be a misnomer to call us a government at all. We should lack the most essential element of its existence—the power to enforce its laws, and provide for its defense.

We should in fact have less power than when we existed under the articles of confederation, and yet our fathers abandoned those articles of confederation and adopted the present constitution instead, on the sole ground that the Union as first organized under those articles did not possess that concentration of power indispensably necessary to its existence and prosperity as a government.

But I pass from this constitutional question to notice some of the objections raised against the policy and effect of the law.

His Excellency says: "It has proved injurious to the civil, industrial and military interests of the country."

"While it gave no useful result it disturbed the public mind—it carried anxiety and perplexity into the workshops, the fields and homes of our citizens."

The Governor also makes and serves a bill of particulars, showing that New York has been grossly abused by the General Government in making the enrollment, and presents a long chapter of grievous hardships and difficulties, caused by the operation of the law.

Mr. Chairman: To him who has a sharp personal appetite for finding fault and dealing in malicious criticism on the acts of the Government

and its subordinate officers in this struggle with rebellion, the opportunity is no doubt ample, fully to satiate that appetite and give scope to that criticism.

I had, myself, never indulged the Utopian dream that this greatest war of the world would be free from the mistakes, frauds and corruptions—the horrors and desolations, the sufferings and woes, which have ever been the inevitable concomitants of all wars.

I only wonder that this war, involving such rapid and gigantic operations, compares so favorably in this regard with other wars.

It will also be remembered in justice, that when the present Administration took the reins of power from its inept Democratic predecessor, it found every department of the Government rotten with corruption, secession and treason—the nation robbed of its defenses and obliged to grapple at once with the rebellion which had been allowed to grow and ripen to maturity under the very dome of the capitol.

The world, however, will no doubt ever have cause to regret that his Excellency himself had not sat in the Presidential chair and held the reins of power during this national struggle—to the end that his consummate wisdom and foresight might have made perfection and infallibility the order of the day—that Congress might have been instructed in the making of wise and efficient laws, and all these new emergencies and difficulties in the nation been met and surmounted without a blunder or a mistake.

New York may have been wronged through the faults or negligence of the enrolling officers.

The seeming discrepancies pointed out by his Excellency, however, are considered by the well-informed as the result of a difference in the proportion of arms-bearing men to the whole population existing in different localities.

Whenever such *prima facie* errors have been pointed out, the President, with that magnanimity, condescension and love of justice which has hitherto marked his every act, has promptly removed the cause of complaint until the merits of the question could be examined; and even now a commission of his appointment, composed of high-minded, patriotic men, are investigating the whole matter of the enrollment, with a view to correct any and all errors or injustice which may have occurred.

It is true that the first call under the enrollment was more fruitful of money than men, yielding only some 60,000 men and the sum of 12,000,000 of dollars.

The commutation clause designed to mitigate the burden and harshness of the draft, proved a serious obstacle to the raising of men for the ranks, and came well nigh defeating the object of the law. We can now see that this commutation clause was ill-advised and should have been omitted, but I deny that the conscription act is obnoxious to the criticism and charges of evil in which his Excellency so freely indulges.

It is even painful to observe the distorted, narrow views which he entertains, touching the condition of affairs in our country.

One would infer on reading his message that

he supposed the greatest civil war that ever afflicted a nation, could be conducted without injury or disturbance to the different interests of the country, providing there was *no coercive military service* attending it.

The "*public mind*" he says, "*has been disturbed*, and anxiety and perplexity has been carried into the workshops, the fields, and the homes of our citizens."

Sir, what tame and futile language is this from the Governor of this great State? Where is another sane citizen who expected that this mighty struggle of the nineteenth century, the most sanguine in the history of the world, could be carried on without *disturbing the public mind*, and somewhat deranging the business of the country from its wonted channel, by the measures which it rendered necessary, and without carrying the most painful anxiety to the heart of every citizen, without araping the land in mourning for the loved ones slain in battle, and without the inevitable carnage, desolation and waste of cruel, ruthless war.

It is a consolation to every patriotic heart, that the people are willing, cheerfully to bear these burdens and afflictions rather than see their beloved country broken up and destroyed, and do not authorize his Excellency in their behalf to complain against, defame and traduce the struggling Government because its measures are not all faultless.

I admit that it is the wisest and best policy to raise and recruit our armies by stimulating enlistments, and such in the main has been the policy of the General Government, the draft having been resorted to only after volunteering had failed to fill the ranks. And here allow me to remark, that it is a significant fact, and a beautiful commentary upon the disingenuous course of the Governor and his party towards the Administration, that all their leading journals which have been the loudest in their denunciations of the draft, were at first and before the Government adopted the measure, its most zealous advocates.

I admit all that his Excellency says touching the propriety of liberal bounties to pay volunteers; but who is so blind as not to be able to see that while liberal bounties have been a powerful stimulus to volunteering, it was the *certainty* resting in the minds of the people that the draft would be enforced unless the volunteers were raised, which gave vigor, power and success to the efforts of the people—presenting to the arms-bearing class the alternative of conscription unless the required quotas were raised and inducing communities to raise and pay large and liberal bounties that the draft might not take effect upon their citizens.

The fact having become fairly settled in the public mind, that notwithstanding the denunciations of the Governor against the act, and the great lawsuit with which he threatened to wipe it out, and notwithstanding the opposition of a New York mob, the requisitions of the General Government would be enforced; and the people moreover having sent forth the decree that the Administration was to be sustained to the last in its war policy and struggle with rebellion, the

states and counties are now responding to the last call of the President with energy and efficiency, and even those who formerly stood aloof and joined with his Excellency in complaining against the law, and the arbitrary, tyrannical government that would attempt to enforce it, are now generally foremost in their efforts to raise the quotas and escape the draft.

The crisis seems to be past, and the wants of the Government will no doubt hereafter be promptly supplied by willing volunteers, but it is unjust in his Excellency thus to cast aspersions upon the law, that contributed so essentially to this happy result.

I submit that no more considerate, and at the same time successful, policy could be adopted by the Government for recruiting the ranks of the army, than firmly presenting on the one hand the certainty that its requisitions would be enforced, and on the other encouraging enlistments with the most liberal bounties, and doing all in its power to enable the people to fill their quotas and obviate the necessity of a draft.

His Excellency has much to say in depreciation of the General Government touching the *suddenness and irregularity of the calls* made upon the people, enumerates a long train of evils consequent upon the same, and lectures the Government upon the superior advantages of a *permanent and uniform system of volunteering*.

Sir, the poor finite Government must in this matter plead guilty to the indictment of his Excellency, and accept his castigations in deep humility for their faults. They were unable to scan the impenetrable future and prophecy its rapidly unfolding events and emergencies so as to advise the people of all their approaching wants and necessities. The President is verily guilty that he did not at the opening of the conflict call for a million of armed men and a thousand millions of money, and at once establish a system of finance and volunteering that should meet the waste of war.

In the deep humiliation of his guilt, he can only plead in extenuation that Heaven did not bless him with a *prophet's ken* above his race, without which he could only prepare to meet the threatening dangers as they rose around him, and that he has discharged his duties and obligations in the perilous crisis through which the nation has passed in accordance with both the spirit and language of his solemn oath—*"according to the best of his ability."*

History, I venture to say, will do him justice and vindicate his character and the wisdom of his acts from the censure which the malice and spite of traitors at the South, and their sympathizers at the North have attempted to cast upon him.

Prominent on its page also will appear the fact that the mouth-piece of this same Governor Seymour, the *Atlas & Argus* of this city, and other leading organs of the opposition, denounced the President as a usurper and violator of the Constitution for the first act of calling out the small force of 75,000 men to protect the capital of our nation, from the grasp of traitors and secessionists, who had plotted its capture and destruction.

## SOLDIERS VOTING.

His Excellency incidentally alludes to the subject of soldiers voting while absent in the service, characterizing it as a "*a new fact in our system of government,*" tending toward a much dreaded centralization of power.

He does not tell us plainly whether he is *for*, or *against* the measure, but if I correctly interpret his dubious language, he fears on the one hand to face the popular will by longer withholding the right of suffrage from those who fight the battles of their country, and on the other, he sees the certain result of such a measure upon the political destiny of himself and his party.

Unfortunately, also, the dilemma is one where he can find no middle, non-committal ground on which he can long stand. He sagely remarks: "While the President, as commander-in-chief, controls the army, the political action of the army will make the President."

Sir, the governor has the idea exactly. This *Presidential question* had no doubt been thoroughly revolved in his mind, and in this proposition he is unusually clear. The half million of votes in the army, added to the four millions at home, will, no doubt, determine the next Presidential election.

With the Ohio tables before him, touching the election of his friend Vallandigham, I think his Excellency might safely have gone further and told us *what kind of a President the political action of the army would make.*

I leave this subject with the remark, that whether in public or private life, I shall ever esteem it my duty to do all in my power to guard and protect the rights and privileges of those citizens, who have bared their bosoms to the bullets of the enemy in the defense of our country; and that of the two, I consider them better entitled to vote for our Rulers, than those who remain at home, and I will also add, that I believe they will exercise the elective franchise far more intelligently than did those who placed his Excellency in the chair of state.

With the vote of our liberty-loving army in the canvass, I have no fears that the efforts of the Seymours, the Woods and Vallandighams, to manufacture political capital out of the miseries of our country, and the mistakes and misfortunes of the government in its contest with rebellion, can ever place a Copperhead in the Presidential chair.

## THE NEW YORK RIOTS.

His Excellency calls our attention to the great riot against the draft, and recounts his extraordinary efforts to put it down.

I have no heart to dwell upon this painful chapter in the history of the past year, nor do I wish to detract from any glory which it reflects upon his Excellency.

I would not be uncharitable or unjust toward any man, but I have no soft words in extenuation of the guilt of those men of any party, who for party purposes, or the gratification of partisan malice have been willing to jeopardize the very life of our nation, by opposing and endeavoring to thwart the efforts and success of the Government in its contest with rebellion.

I submit it to an enlightened public whether I am uncharitable or unwarranted in the conclusion, that it was the *hue and cry* raised against the draft by his Excellency and other leaders of his party, denouncing it as unconstitutional and invalid, and an arbitrary, tyrannical measure, designed to oppress the poor and favor the rich, which more than all other causes combined, so encouraged the opposition and inflamed the already excited passions of an ignorant people as to produce one of the most formidable and atrocious outbreaks in our Metropolis that ever disgraced a civilized community.

The charge cannot be denied, that the leaders and organs of the opposition party, have lost no opportunity during the past year, of denouncing every law and measure of the Administration adopted for the support of the war as unconstitutional, oppressive and unjust, and on all occasions have proclaimed to their followers that the Federal Government was an unmitigated despotism, trampling not only upon the most sacred rights of states, but deliberately concentrating its power with a view to put an end to *individual rights.*

Sir, to me it is not strange, that this malicious, unpatriotic course should have borne the bitter fruits of open violence, bloodshed and crime.

The extraordinary mob-speech of his Excellency, which, at the time shocked the nerves of the nation, if it did not frighten the mob, should not be overlooked or forgotten in reviewing his acts on this occasion, and deciding with how much heart and sincerity those acts were performed.

Standing on the steps of the City Hall, guarded and protected from violence by soldiery and police, with the vile miscreants of Mackerelville and the Five Points assembled before him, their hands dripping with the blood of innocence, and grasping the torch of the incendiary, ready to burn down the orphan asylums of the city, he confronted them with the following terrific language as reported at the time by the New York press.

"I beg you to listen to me as your friend and the friend of your families. \* \* I will say a word about the draft. On Saturday last I sent the Adjutant-General of the State to Washington, urging its postponement. \* \* \* If the conscription act shall be declared to be legal, then I pledge myself to use every influence with the State and City authorities to see that there shall be no inequality between the rich and the poor. I pledge myself that money shall be raised for the purpose of relieving those who are unable to protect their own interests."

Ye Gods, how much would the young Napoleon have given, when grappling with the great mob of Paris, for a copy of this model speech to be used instead of grape and canister.

## STATE SOVEREIGNTY.

I pass to notice more particularly the remarks and criticisms made upon the policy and acts of the Administration, and upon the proposed plan of reconstruction.

In the mind of his Excellency all is wrong in this regard.

The national Banking system, and the large issue of government paper, will overslaugh and ruin our state currency; the extraordinary power

exercised by the President under the sanction of Congress, has rendered the civil subservient to the military power. The cherished principles of our government have been overthrown by a revolution. National Bankruptcy is just upon us *unless the war is speedily brought to a close*. The proposed plan of reconstruction is one of disorganization and revolution.

The war has been diverted from its object of restoring the Union and becomes one of conquest and subjugation by which the rights of the states are to be destroyed, and all power concentrated in an arbitrary, tyrannical, national Government and the Governor's only hope of relief from all these threatening evils and coming calamities which loom up before his troubled mind lays in the prospect as he declares, "*that the Government will fail and break down in all its military, political and financial measures.*"

Sir, this hope of his Excellency so clearly betrayed in his *studied hypothetical language*, is rooted and grounded in treason itself, and will fail for want of patriotic faith, notwithstanding the vigorous works of the Governor and his party to accomplish the national ruin upon which it is based.

Mr. CHAIRMAN: This new political dogma of state rights, as proclaimed by the leaders of the so-called Democratic party, is but the twin-sister of secession, nay more Sir, when carried out, it is secession itself, as rank and destructive as that claimed in the revolted states.

As a single specimen of their numerous resolutions setting forth this doctrine, allow me to call attention to the following, which was unanimously adopted at the great Democratic anti-war-meeting, held at Cooper Institute, on the 4th of June last.

"Resolved, That under the Constitution there is no power in the Federal Government to coerce the states, or any number of them by military force. If power of coercion exists at all, it is a legal power and not military."

In support of this resolution, Fernando Wood, its author, is reported to have said, amid the approving cheers of the Convention, as follows:

"The war should cease, because it should never have been commenced, inasmuch as there is no coercive military power in the Federal Government as against the states, which are sovereign, and in possession of all power not delegated. If power of coercion exists at all, it is legal and not military."

It is worthy of remark, also, that at this same convention, and as a fit counterpart of such sentiments, the infamous Vallandigham, with all his outspoken treason, was fully indorsed.

It is true, there are many leading men who work in harmonious party affiliations with Fernando Wood and Vallandigham, who lack the boldness to proclaim this state sovereignty, anti-war doctrine to the extent here laid down.

His Excellency, I think, has not been conveniently situated, to talk this doctrine in such strong language, and has watched too closely the barometer of public sentiment in this state openly to attempt to carry it out in practice.

I think I can appreciate the necessity which compelled him in the message under review to say, substantially, that he is *neither for war nor for peace*, being "unable fully to agree with those

who advocate unconditional peace, or those who would use unqualified force in putting down the rebellion.

Mr. CHAIRMAN: The loyal people of the North, are no longer to be deceived or misled by this Janus-faced creed, this *political hypocrisy*, which attempts to accommodate itself to all latitudes, preaching peace to the South, and a mixture of war and peace at the North, mingled in proportions to suit each particular locality.

Sir, it is in vain for his Excellency or other leaders in his party to attempt to evade the issue they have raised, or longer to blind the eyes of the people as to their political status.

The record has become too clear and conclusive to enable them longer by dissimulation to hide the real sentiments of their hearts.

There is not in the nation, a bolder, more outspoken representative of this doctrine of State Sovereignty and right of secession, than the notorious Vallandigham.

It is known to all that he openly repudiates the war as unconstitutional—denying the power of the General Government to enforce its constitution and its laws by military force, and justifying the south in their secession from the Union.

That the true political stripe of this western hero may be fresh in your minds, allow me to read a single extract from one of his published speeches, made to the citizens of Ohio in August, 1861. After boasting that he had never voted for raising men or money to support the war, he proceeds as follows:

"Then, Sir, I am not a Southern man either—ALTHOUGH IN THIS MOST UNHOLY AND UNCONSTITUTIONAL CRUSADE AGAINST THE SOUTH, in the midst of THE INVASION, ARSON, INSURRECTION AND MURDER TO WHICH SHE HAS BEEN SUBJECT, and with which she is still threatened—with the TORCH OF THE INCENDIARY AND THE DAGGER OF THE ASSASSIN SUSPENDED OVER HER—MY MOST CORDIAL SYMPATHIES ARE WHOLLY WITH HER!"

Sir: It was proposed in November last by gentlemen calling themselves the Democratic party in Ohio, to hand over to this same Vallandigham the sword of that great State.

The people will remember also, that his Excellency and his party organs and party leaders, including Judge Parker, the chairman of the last so-called Democratic convention, strenuously advocated Vallandigham's election to the gubernatorial chair of Ohio. Will it be claimed that in this great war against rebellion, involving the power and resources of all the states in the conflict; the election of Vallandigham, as Governor of Ohio, would not be an indorsement of his political sentiments as openly proclaimed by him upon the great questions at issue.

Pitiable indeed must be that dilemma which would drive these Vallandigham supporters to such an absurd position—such a miserable subterfuge for escape.

I leave them in the hands of the people, who, I trust, in the future, as in the past, will make known in unmistakable language, how much less they despise the traitor, than those who by their votes and influence would place that traitor in the seat of power.

I must not, however, be understood in these remarks and reflections, as charging copperheadism and treason indiscriminately upon the rank and file of the Democratic party at the north. It is but justice to concede that a large portion of them are loyal and true to their country. Thousands, at the last election, broke loose from the trammels of party and came into the Union ranks to the support of the Government, and thousands more voted the treasonable copperhead ticket, which had been prepared for them under the sacred name of Democracy, in the honest belief that their leaders were loyal men and not in sympathy with secession and rebellion.

Nor will I question the loyalty of any Senator upon this floor. However much we may differ, I feel unwilling to believe that there is an honorable Senator in this circle, who like his Excellency, would rejoice to see our National Government *fail and break down* in its contest with rebellion; that a State Sovereignty peace party might, by means of a compromise with traitors, ride into power upon its ruins.

Sir, a loyal Democrat, who in this time of public peril rises above party and gives a cordial support to the Government, makes double proof of his patriotism in the sacrifice involved, and entitles himself to a place of honor in the front rank among his country's defenders.

I most cordially welcome all such Democrats to the full enjoyment of this blessed privilege. Where the heart is loyal and true, I will ask no questions as to political antecedents, will freely forgive all past offenses, and the only tie that binds us, until the great conflict is over, shall be unflinching devotion to our imperiled Government.

MR. CHAIRMAN: It needs no argument to show that if this doctrine of State sovereignty, as contended for by the opposition party, should become established, we have no Federal Government worthy of a name.

The idea of Mr. Wood and his adherents that the Constitution and laws of the Union can be enforced in the rebel states by *judicial proceedings*, is simply ridiculous.

If the Federal Government possesses no *coercive military power* to enforce its laws in the different states—then it follows that a state can at any time secede from the Union and refuse to obey its laws—put itself upon its assumed sovereign rights and bid the Government defiance—and our boasted Federal Constitution which, in its preamble, recites that it was adopted "*to form a more perfect union, establish justice, insure tranquility and provide for the common defense*" is a gigantic failure.

I would not for a moment sustain the General Government in the exercise of power not fairly embraced in the letter and spirit of the Constitution, but I glory in the fact that the Constitution was so wisely framed by our fathers as to establish a consolidated government, with power to vindicate its authority and defend and perpetuate its existence.

I condemn as groundless, unpatriotic and reasonable that feeling of hostility toward the National Government which the opposition

party have endeavored to disseminate among the people. The General Government is *our* government. We, the people, elected the men who compose it. They are but our servants and amenable to us for the proper discharge of all their duties.

We have entrusted them with the keeping of our national honor and the defense of our national existence at a time "*which tries men's souls.*"

It is but reasonable to suppose that the Government can better judge than we of the perils and public dangers which threaten it, and of the best measures to avert them, and I submit that it illy becomes us as loyal citizens to be forever complaining at the acts of our rulers, and like his Excellency, *opposing everything and proposing nothing.*

#### THE MILITARY GOVERNMENT.

His Excellency mourns and laments over the discovery which he has made, that we are in fact *now living under a military government.*

Sir, it is most fortunate for the people that he has thus kindly promulgated to them this astounding truth, as otherwise this alarming condition of things would not have been found out and understood.

I had not myself discovered that the functions of *civil administration* had been in the least obstructed in this state.

If his Excellency only has reference to the military arrest and confinement of a *few Northern traitors* found engaged in stirring up treason and rebellion among the people, and the authorized suspension of the writ in such cases, I will assure him, and all others who may have anxiety on this subject, that none but *traitors* to the government need have the least fear of losing their civil liberty and civil rights under the exercise of this power by our forbearing President.

I take occasion also to state in this connection what his Excellency *strangely omitted* to say, that on the 3d of March last Congress removed every vestige of ground for complaint touching these *arbitrary arrests*, by a law providing that all suspected persons thus arrested should be immediately handed over to the civil courts to be dealt with according to the established forms of law; and if, on examination, no cause of indictment or trial was found, to be immediately discharged.

#### NATIONAL BANK CURRENCY.

Upon the question of the National Currency I have time to say but a word.

I had supposed this currency, secured as it is by the stocks of the United States, filed in the Treasury Department, of uniform appearance and sustaining a uniform value throughout the Nation, would have some advantages over the currency of the states, but I do not see the least necessity for any quarrel between the two, and am content to leave them to take their chances for public favor upon their merits.

I do not think his Excellency was called upon or warranted in his disparaging remarks upon this financial measure of the government, adopted to meet the exigency of the crisis.

The security and redemption of this currency rest upon the very pillars of the government and must command the confidence and credit of the world while our government exists.

#### NATIONAL BANKRUPTCY—NATIONAL DEBT.

I am not alarmed at his Excellency's predictions of national bankruptcy and ruin as the result of the war, if continued.

"The problem," he says, "with which we have to grapple is: How can we bring this war to a conclusion before such disasters overwhelm us?"

Sir, it will be a happy day in this nation when the Government shall have triumphed over the rebellion and the last gun of the war shall have been fired.

I earnestly hope that through the blessings of Providence, that day may not be far distant, but I would not shorten the war one hour to save all the blood and treasure of the free north, at the expense of a *dishonorable compromise with these traitors in arms against the government.*

Whatever of blood and treasure is necessary to conquer these rebels to entire and unconditional submission to the constitution and laws of the national government, I would lay upon the altar a willing sacrifice for the salvation of our beloved country.

I would solve the problem which his Excellency has given us, by waging this war with every power and resource of the nation without regard to cost, until the last vestige of this unholy rebellion has been subdued, and the last armed traitor has surrendered himself to justice.

There is no overwhelming disaster which can befall this generation, bearing any comparison to the dissolution of our union, the destruction of our government, and the re-establishment on this continent of that hellish system of human bondage which has cursed our nation from the first, and flowily drenched our land in blood.

I do not fear the national debt which so disturbs the mind of his Excellency. The ablest writers with whom I have consulted upon this subject, agree that a national debt kept within the resources of the government, is an element of national strength, safety and prosperity.

It is easy to see that the stocks on which it rests, held, as they mostly are, by our own citizens, become bonds of union between the citizens and the government.

The issue of every greenback, or bill of credit, makes its holder so far interested in the perpetuity and prosperity of the government.

And are we to have a national debt, the interest of which our revenues and the resources at our command will not easily meet, as well as provide a sinking fund?

I submit, that the resources of this nation, relieved of war, are almost incalculable and exhaustless.

The developments thus far have surprised ourselves and astonished the world.

Under the blessings of Providence, we are prospering in all the productive elements of wealth and strength, and notwithstanding the burdens of the war, *we are more powerful to-day as a nation than when the conflict commenced.*

Our ablest statisticians inform us that the

increase of our population actually overbalances the waste of war.

If we survive the struggle and preserve our nationality, the day is not far distant in the future when we shall number a hundred millions of people covering the broad expanse of our territory, the richest and most productive on the face of the earth, engaged in all the industrial pursuits of active life, and possessing a commerce and revenue of which we can have no conception.

With this bright prospect before my mind, and with the firm belief that kind Heaven has all these blessings in store for us, when our nation shall have been chastened and purified in the fiery crucible of this great war, you can better understand why I fear no national debt, however large, necessary to be incurred in bringing the contest to a triumphant termination.

#### RECONSTRUCTION—PROCLAMATION OF AMNESTY.

In his remarks upon the proposed plan of reconstruction and our final action touching the return of the rebel states, his Excellency seems to labor under a strange *hallucination of mind.*

There is, however, too much "*method in his madness,*" to admit the plea of insanity.

He seems to cherish the idea, that, when the government so far conquers the forces of this rebel combination as to oblige them to lay down their arms and submit to the national authority, the present political organizations of the several revolted states, are to be recognized as a matter of course, and they be allowed to restore their representation in Congress, and resume their walk with the family of states, without *punishment, repentance or absolution.*

Heaven save our unhappy nation from such deep and damning disgrace.

Sooner than take my seat in Congress in such an unholy alliance with traitors, their hands reeking in the blood of our slaughtered sons, and their souls black as hell itself, with the stains of perjury and treason, I would drink the bitterest cup of war to the dregs, waged to extermination itself.

Were northern Copperheads in power, I have no doubt they would greet these red handed rebels with a hearty welcome back to their seats in the capitol of our nation.

I do not believe his Excellency, even, would find it difficult to restore himself to full communion with these slave lords of the South.

He could easily convince them that he was guiltless of doing them harm or opposing their scheme of secession beyond what the *pressure of Northern sentiment had compelled him to do*, that he had from the first regarded them with *brotherly affection*, and could show from the record that he had uniformly opposed the war as unnecessary, and had declared all the measures adopted for its support *unconstitutional*; that he and his party had manfully opposed the proclamations of freedom as a gross outrage upon the rights of the South, that he had used all his influence to aid their friends Thomas W. Seymour, Vallandigham and others of their stripe, to seats of power, and that he and his organs had labored with untiring industry to destroy



the power and influence of the government with the masses of the North, and, by skillfully drawn platforms and vigorous efforts to, carry the elections in favor of those opposed to the war.

Sir, the plea would prevail. His *Southern brethren* would yield to the overwhelming truthful argument; his Excellency would stand honorably acquitted by them and be awarded one of the highest seats in the house of his "*friends*."

Such a meeting of the chivalry with Vallandigham, Cox, Bright, Parker, Flanders, the Woods, the Brookses and the Seymours, would no doubt be joyful and sympathetic.

Having renewed their ancient alliance, and resumed control of the government, their first public acts of legislation would no doubt be to saddle upon the nation the debt of the infernal rebellion and raise from the dust and reinstate upon his idol throne the Moloch of human slavery and command all good citizens in the nation to bow down and worship as in former days.

All this I affirm would be the inevitable result, should this opposition, anti-war party, come into power, and as proposed by his Excellency, recognize the present traitorous organizations of these rebel states and allow them to resume their places in the Union as such.

Mr. CHAIRMAN: We must look these grave facts and conclusions squarely in the face, and guide our actions by the light of reason and constitutional law.

*These state governments have gone out and disappeared in the hopeless night of secession, treason and death, in which their mad ambition plunged them.*

There is not in all those states a legal state officer who can be recognized as such by the national government.

All in office have *de facto*, been engaged in the rebellion, are rebels and traitors, and can never hold office again in the state or nation until purged by executive clemency.

Instead of the President's plan being one of revocation and disorganization, it is a plan to re-establish and reorganize the state governments which the rebels themselves have utterly destroyed—a plan, conceived in mercy, to enable these misguided sons of the South to repent and return to their father's house.

It is not pretended but the President has the power under the constitution to impose such conditions to the offered amnesty as he shall deem best for the country. Upon this point the constitution is explicit.

The condition imposed by the test oath, about which the Governor complains, is simply that the citizen receiving amnesty shall support the constitution and the laws and obey the present and future *valid orders and proclamations* of the Government, made during the rebellion.

I submit that this is not an unreasonable condition rendered necessary to guard and purify, as far practicable, the new element, out of which to reconstruct a loyal state government. The door is open to all except the chiefs and ring-leaders among the rebels, on whom the gallows is superior claims.

It is true the oath and its privileges may be abused by some, but there must be a commencement, a rallying point in the movement of reconstruction.

The President has not put forth this plan as a *sine qua non*, but until a better one is suggested, to meet the difficulty it illy becomes his Excellency or any other man to raise objections.

Like all the other great measures of the President I apprehend it will vindicate its wisdom and adaptation in the trial, and I advise all those ambitious men who are watching with eagle eyes for an opportunity to make some successful political issue with the Administration to consider well before they take their ground or they may not improve upon their past experience.

The remark of his Excellency characterizing the policy of the Administration as one of "*unqualified force*" is slanderous and in the teeth of facts disclosed in his own message.

The President from the first has held the olive branch in one hand and the sword of the nation in the other.

He has now thrown open the door so wide that all within the revolted region whose garments are not too deeply dyed in blood to admit of such a general amnesty, may at once return to the rights of citizenship and the enjoyment of a loyal state government.

I think well of the distinction taken. It excludes the leading aristocratic, slave-corrupted element, to meet its doom and expiate its load of guilt, and reaches out for a more reliable and loyal middle class from which to rebuild a more enduring fabric.

#### THE PROCLAMATION OF FREEDOM.

I have neither time nor strength to speak at length upon the Proclamation of freedom.

The curse which so long preyed upon our body politic, like the vampire of death, and which seemed beyond the reach of human power to remove, has withered away under the touch of that Almighty hand which grasps and controls the destinies of nations.

The edict of liberty to a long oppressed and down-trodden race, was first issued from the throne of God and reached the heart of Abraham Lincoln, the humble instrument of its execution, through a chain of events which infinite wisdom directed and controlled.

The most zealous advocates of slavery are hushed to silence under these lessons of Providence.

The rubbish remaining from the demolished framework of this once overshadowing institution, is now being removed and cleared away by those who but yesterday would have risked their lives in its defense.

Wherever the incubus of slave influence has been lifted from the minds of the people, and given them freedom of thought and action, the sunny South itself has become preëminently the land of abolitionists, voluntarily choosing the blessings of freedom, free institutions and free labor; and within the last ten days our ears have been greeted with the glorious news that in the state whose soil drank the first blood of the war, not an officer, from senator in Congress to door keeper

in the Assembly, could be elected *unless pledged to the immediate abolition of slavery.*

Long had the great evil baffled the efforts of Christians, Philanthropists and Statesmen.

Its surging waves of moral pollution could not even be restrained within the bounds set by the constitution of our fathers, but with that grasping ambition and inordinate love of power and arbitrary rule which it naturally engenders, fed and fostered by the corrupt passions of the human heart, it sought to override and break loose from those bounds and spread its dark mantle over the entire nation.

Having been met and resisted in its unconstitutional claims and unlawful aggressions, by the decided political action of the North, it raised its hideous head in rebellion against the Government and inscribed upon its banner *rule or ruin.*

The final arbiter between nations is unsheathed from its scabbard for the determination of the great contest and the aristocratic, ambitious slave power of the south, *cutting loose from the Constitution which protected it, voluntarily submits itself to the chances and the laws of war.*

Already the manacles have fallen from over half a million of slaves, and our victorious columns will soon carry freedom to the remainder.

Its mad ambition, like the hardness of Pharaoh's heart, proved but one in the chain of events by which an overruling Providence opened the way of escape to a race in bondage and rendered the extinction of the slave power on this continent as certain as was the destruction of Pharaoh and his hosts in the Red Sea.

Call this an abolition war if you choose, but do not forget also to say, that it was the slave power alone that made it so by their combined rebellion and war against the government.

The barbarous monster of slavery, in its wicked ambition *took up the sword,* and Heaven in mercy to mankind has decreed that *it shall die by it,* and I pronounce that man an enemy to his country and his race, who would attempt to thwart the righteous retribution and to resuscitate and save the already expiring monster from the death it so richly deserves. I am rather pleased, than otherwise, with the name. While the slave power continued loyal to the Government, content to enjoy the rights and privileges conceded to it by the compromises made with our fathers, I would have borne the evils of their cursed institution in silence and submission; but when it raised the standard of revolt for the avowed purpose of destroying this Republic and erecting on its ruins an aristocracy, based upon slavery as its corner-stone, it voluntarily exchanged those rights and privileges for the laws of war, and authorized Abraham Lincoln, our Commander-in-Chief, to issue the proclamation of freedom to the slaves held within the revolted region.

Sir, that proclamation, proved thus far, to be the most efficient war measure adopted for crushing the rebellion, *is to be enforced,* and the march of our armies henceforth will carry liberty to the slave.

Sir, I have no language to express the contempt which I entertain for that man who would hinder the consummation of this glorious result

—who, after all the blood and treasure poured out by the free North, would be willing to revoke the proclamation—compromise with the millions of slavery, and again incorporate in our government this relic of barbarism—this element of discord so utterly antagonistic to those principles of freedom and free institutions which should form the crowning glory of our nation.

#### OUR DUTY IN THE CRISIS.

Mr. CHAIRMAN: Never before has there been such a glorious opportunity for the exercise of all the nobler traits in human character as now presents itself to the people of this nation.

There is work for the patriot, the statesman, the philanthropist and the christian.

The slave, as he emerges to liberty in the track of war, from the condition of ignorance, poverty and degradation in which his cruel bondage held him, implores a christian nation for relief until he can realize the fruits of organized freedom.

The victims of battle fields and disease on every hand, and the desolation and sorrow which fills our land, are sufficient to arouse every energy and sympathy of the human heart.

There never was a nobler spectacle on earth than that which is now seen among the people of the Northern States in their efforts to meet all these claims of God and humanity upon them in this terrible crisis.

While engaged in our duties in this chamber our ears are saluted with the music of the hammer and the saw, in the erection of an edifice of mammoth proportions to accommodate the spirit of patriotism, sympathy and benevolence which has taken possession of the hearts of the people.

Nothing but the powerful impetus of this noble spirit could have so rapidly, and in mid-winter, brought into form and proportions the beautiful structure now nearly completed in our park, more beautiful because of the noble and humane objects with which it is associated.

Like all such enterprises in our land, it is bound to be a *triumphant success,* worthy of the Capital of the Empire State, and reflecting the highest honor upon the patriotic ladies and gentlemen who planned it, and yielding its substantial blessings to thousands of the sick and wounded soldiers of our army.

Sir: It is not for us to question, but these lessons of deep and bitter affliction through which we are passing were necessary to raise us from that low and groveling condition of selfishness and materialism into which as a nation we have fallen, and while we bow in humble submission to the rod so heavily, yet so justly laid upon us, we can but discover that our cup of sorrow is mingled with blessings to our race, and that this chastening rod is in a kind and beneficent hand that would correct our erring steps and make us a holier and happier people.

#### THE FUTURE FULL OF HOPE.

Sir, I am buoyant with hope that the great contest draws near its close.

From every indication, the rebellion long since

reached the climax of its power, and has well  
exhausted its strength.

It reels and staggers upon the field, and its  
crumbling framework totters and creaks under  
the effort of its wild and frenzied blows of des-  
truction.

Instead of the mourning and evil boding of  
the Excellency, one would suppose that every  
American's heart would bound with exultation  
at the bright prospect of a speedy termination  
of this bloody tragedy and a full and glorious  
triumph of the national arms.

Sir, In the mysterious orderings of Providence,  
the brightest son of liberty and the richest bless-  
ings to our race have ever been the apparent  
offspring of cruel, bloody war.

Let us then hope that kind Heaven may gra-  
ciously accept the sacrifices we are making for  
our country, and grant that our young Republic,  
chastened, purified and redeemed, may emerge  
from its baptism of deep affliction, and resume  
its onward march in fulfillment of its great des-  
tiny, dispensing its blessings of free government  
to all mankind.

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